

24.07.2024
Sl. No.18(DL)
srm

W.P.A. No. 17450 of 2024
Sri Subhash Chandra Das
Versus
The State of West Bengal & Ors.

Sk. Zubair Ahmed
...for the Petitioner.

Mr. Anirban Roy,
Mr. Tanoy Chakraborty,
Mr. Satak Sanyal
...for the State-respondents.

1. The writ petition has been filed alleging that work order has not been issued despite an earlier order of this court.
2. An order was passed on March 22, 2024 by a learned coordinate Bench of this Court in WPA 2458 of 2024, directing the authorities to allow the petitioner to execute the work in terms of the notice inviting tender bearing Memo No.JGMCH/2023/430, having reference No.JGMCH/eNIT-02/2023-24 (2nd Call), between July 25, 2024 to November 24, 2024.
3. The order of His Lordship reads as follows:-

“1. In a tender process, three persons including the petitioner jointly found L-I. The petitioner has filed the instant writ petition stating that the procedure stipulated in the finance department memorandum dated June 7, 2022 to call for further bidding from the three L-I bidders has not been followed.

2. This Court, however, notices that the respondent employer has divided the work amongst three bidders for four months each. The work in question was to supply security staff to a Government Hospital at Jhargram.
 3. This Court does not see any infirmity in the procedure adopted by the Government Hospital at Jhargram.
 4. In those circumstances, the petitioner, as stated by the learned counsel for the respondents, may be awarded the security work with effect from March 25, 2024. He shall continue for four months period from March 25, 2024 to July 24, 2024 and the 3rd bidder shall continue from July 25, 2024 to November 24, 2024.
 5. The L-I bidder, namely, SB Enterprise who was working till now shall cease to work at the end of the working day of Sunday 24th March 2024. The parties shall abide by all terms and conditions of the NIT and the contract.
 6. Let work orders be issued accordingly."
4. It is submitted on behalf of the authority that the authority will allow the petitioner to continue the work on and from July 25, 2024 as per the direction of the learned coordinate Bench.
 5. Under such circumstances, the writ petition is disposed of directing the authorities to comply with the earlier order passed by a learned coordinate Bench.
 6. There shall be no order as to costs.
 7. Parties are directed to act on the basis of the server copy of this order.

(Shampa Sarkar, J.)